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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,617	03/09/2004	Colin A. Aldridge	141669.00004-P1274US00	1774
25207	7590	11/01/2005		
POWELL GOLDSTEIN LLP ONE ATLANTIC CENTER FOURTEENTH FLOOR 1201 WEST PEACHTREE STREET NW ATLANTA, GA 30309-3488			EXAMINER BATES, ZAKIYA W	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/796,617

Applicant(s)

ALDRIDGE ET AL.

Examiner

Zakiya W. Bates

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11, 12, 20, 25 and 26 is/are rejected.
- 7) ☒ Claim(s) 8-10, 13-19 and 21-24 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06102004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the term "means" is stated in line 10. Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claims 4-10 are objected to because of the following informalities: claim 4, line 1 recites "said raised areas", which lacks antecedent basis. The claim should be amended to depend from claim 2. Or, in the alternative, claim 3 should be amended to depend from claim 2. Appropriate correction is required.
4. Claims 21 and 22 are objected to because of the following informalities: both claims refer to the lobes having "teeth", which lacks antecedent basis. Claim 20 should probably depend from claim 12 in order to overcome this objection. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-7 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,318,459 (US'459) or US 6,062,309 (US'309).

US'459 discloses an apparatus that includes an anchor to inhibit rotation of a device relative to an oil well casing, comprising: a tubular mandrel 4 adapted for direct or indirect connection to the device; a cylindrical housing to receive at least a portion of said mandrel concentrically therethrough, said housing being rotatable relative to said mandrel and having a plurality of circumferentially spaced apart apertures formed in an outer surface thereof; a plurality of spaced apart anchoring slips 12 disposed between said housing and said mandrel in registry with respective ones of said apertures in said housing's outer surface; first biasing means 19 associated with said mandrel for rotation therewith in the clockwise or counterclockwise directions to engage and then move respective ones of said anchoring slips radially towards and then into temporarily anchoring contact with the casing to prevent further rotation of said mandrel and the device connected thereto in either of said clockwise or counterclockwise directions; and one or more drag block means 18 disposed in said housing in registry with respective ones of said apertures in said housing's outer surface to extend radially outwardly therefrom, each of said drag block means being normally biased into frictional contact

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with said casing to inhibit rotation of said housing relative to the casing. With respect to the depending claims, the reference teaches the limitations as claimed, including raised areas, a plurality of teeth 13, 16, 17, and a spindle member 14. With respect to claim 25, the reference discloses a method that includes method for anchoring a device against rotation in a well bore, comprising the steps of: a) non-rotatably connecting the device to a mandrel disposed either above or below the device; and, b) surrounding at least a portion of the mandrel with a cylindrical housing that is rotatable relative to said mandrel, said housing having associated therewith a first set of anchor members normally biased into frictional contact with the well bore to hold the housing stationary relative thereto, and a second set of anchor members actuatable in response to rotation of said mandrel for movement between a first retracted position and a second well bore gripping position, wherein gripping of the well by said second set of anchor members prevents further rotation of said mandrel.

US'309 discloses an apparatus that includes an anchor 2 to inhibit rotation of a device relative to an oil well casing, comprising: a tubular mandrel 4 adapted for direct or indirect connection to the device; a cylindrical housing to receive at least a portion of said mandrel concentrically therethrough, said housing being rotatable relative to said mandrel and having a plurality of circumferentially spaced apart apertures formed in an outer surface thereof; a plurality of spaced apart anchoring slips 16 disposed between said housing and said mandrel in registry with respective ones of said apertures in said housing's outer surface; first biasing means 52 associated with said mandrel for rotation therewith in the clockwise or counterclockwise directions to engage and then move

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respective ones of said anchoring slips radially towards and then into temporarily anchoring contact with the casing to prevent further rotation of said mandrel and the device connected thereto in either of said clockwise or counterclockwise directions; and one or more drag block means 20 disposed in said housing in registry with respective ones of said apertures in said housing's outer surface to extend radially outwardly therefrom, each of said drag block means being normally biased into frictional contact with said casing to inhibit rotation of said housing relative to the casing. With respect to the depending claims, the reference teaches the limitations as claimed, including raised areas, a plurality of teeth 36, and a spindle member 14. With respect to claim 25, the reference discloses a method that includes method for anchoring a device against rotation in a well bore, comprising the steps of: a) non-rotatably connecting the device to a mandrel disposed either above or below the device; and, b) surrounding at least a portion of the mandrel with a cylindrical housing that is rotatable relative to said mandrel, said housing having associated therewith a first set of anchor members normally biased into frictional contact with the well bore to hold the housing stationary relative thereto, and a second set of anchor members actuatable in response to rotation of said mandrel for movement between a first retracted position and a second well bore gripping position, wherein gripping of the well by said second set of anchor members prevents further rotation of said mandrel.

7. Claims 1-3, 11, 12, 20, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,155,346 (cited by applicant).

US 6,155,346 discloses an apparatus that includes an anchor 14 to inhibit rotation of a device relative to an oil well casing, comprising: a tubular mandrel 24 adapted for direct or indirect connection to the device; a cylindrical housing to receive at least a portion of said mandrel concentrically therethrough, said housing being rotatable relative to said mandrel and having a plurality of circumferentially spaced apart apertures formed in an outer surface thereof; a plurality of spaced apart anchoring slips 18 disposed between said housing and said mandrel in registry with respective ones of said apertures in said housing's outer surface; first biasing means 70, 50 associated with said mandrel for rotation therewith in the clockwise or counterclockwise directions to engage and then move respective ones of said anchoring slips radially towards and then into temporarily anchoring contact with the casing to prevent further rotation of said mandrel and the device connected thereto in either of said clockwise or counterclockwise directions; and one or more drag block means 22 disposed in said housing in registry with respective ones of said apertures in said housing's outer surface to extend radially outwardly therefrom, each of said drag block means being normally biased into frictional contact with said casing to inhibit rotation of said housing relative to the casing. With respect to the depending claims, the reference teaches the limitations as claimed, including raised areas 70 and slips having a plurality of teeth. With respect to claim 11, the reference discloses a torque anchor 14 for use in an oil well to temporarily prevent rotation of a device connected to the anchor in the clockwise or counterclockwise directions, or both, comprising: a tubular mandrel 24 operatively connected to the device to be anchored; a plurality of casing gripping anchor members

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disposed in spaced apart relationship about the circumference of said mandrel; a housing mounted concentrically around at least a portion of said mandrel to be rotatable thereon and to at least partially contain said anchor members therein, said anchor members being mounted in said housing for rotation therewith around the mandrel and for radial movement towards and away from said mandrel; cam means 70 on said mandrel for operatively engaging respective ones of said anchor members to bias them towards and into gripping contact with said casing upon rotation of said mandrel in one direction, and to operatively engage another of said anchor members upon rotation of said mandrel in the opposition direction, whereby gripping of the casing by said anchor members effectively stops the rotation of said mandrel; and a plurality of friction members 22 supported by said housing normally biased into contact with the casing to stop rotation of said housing relative to the casing. With respect to claim 25, the reference discloses a method that includes method for anchoring a device against rotation in a well bore, comprising the steps of: a) non-rotatably connecting the device to a mandrel disposed either above or below the device; and, b) surrounding at least a portion of the mandrel with a cylindrical housing that is rotatable relative to said mandrel, said housing having associated therewith a first set of anchor members normally biased into frictional contact with the well bore to hold the housing stationary relative thereto, and a second set of anchor members actuatable in response to rotation of said mandrel for movement between a first retracted position and a second well bore gripping position, wherein gripping of the well by said second set of anchor members

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prevents further rotation of said mandrel. With respect to the depending claim, the reference teaches the limitations as claimed, including cam members 70.

Allowable Subject Matter

8. Claims 8-10, 13-19, and 21-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Further, the objections made in paragraphs 3 and 4 above must be corrected in order to be allowable.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zakiya W. Bates (formerly Zakiya Walker) whose telephone number is (571) 272-7039. The examiner can normally be reached on Monday-Friday, 8:30 AM-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Zakiya W. Bates
Primary Examiner
Art Unit 3676

zb
October 29, 2005